

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51116 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- MAHILA P.S. District- Samastipur

Sita Devi W/o Upendra Mahto R/o Village- Madapur Chhapra, Ward No. 11,
P.S.- Pusa, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Kumari D/o Baleshwar Ram R/o Village- Madapur Chhapra, Ward No. 11, P.S.- Pusa, Distt.- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 15-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Mahila P.S. Case No. 28 of 2025 instituted for the offence under Sections 69, 89, 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023, Sections 4 & 6 of the POCSO Act and Sections 3(1)(r)(s) (w) & 3(2)(v) of the SC/ST Act.

3. The prosecution story, in brief, is that the informant, a matriculation student, was repeatedly molested and later raped by Ankit Kumar (petitioner's son) in February 2024. When she became pregnant, Ankit and his parents attempted to suppress the matter and later refused to marry her, leading to a



panchayat and the present case.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.04.2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it would manifest that there is no specific allegation against the petitioner, rather the same is against the son of the petitioner. No case is made out against the petitioner under the offences of SC/ST Act as the petitioner has not abused the informant in the public place. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Mahila P.S. Case No.
28 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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